IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2103 OF 2006

Shabbir Sherali Veerji Merchant. ..Applicant.

Vs.

The State of Maharashtra. ..Respondent.

Mrs. Anjali Patil holding for Mr. P.R.Rane Advocate for the Applicant.

Miss. S.V. Gajare,APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 30.6.2006.

P.C.

1. Heard both sides.

2. The affidavit in reply tendered by the State is taken on record.

3. This is an application for grant of regular bail. The applicant is in custody since 9.10.2005 in connection with C.R.No.251/2005 registered by Cuffe Parade Police Station under Section 454,380 and 328 read with 34 of the I.P.C. in respect of which Sessions Case No.157/2006 is now pending. It appears that the allegation against the present applicant is that he has committed theft of Rs.10,000/- from the office of the complainant. The applicant and one other accused are

said to have been apprehended by the security guards and the co accused sprayed some chemical on the eyes of the security guard. Nothing is recovered from the present applicant. Taking into account the fact that the offences which are alleged u/s. 454, 380 and 328 read with 34 are not punishable with death or life imprisonment. I am inclined to grant bail to the applicant specially as charge sheet is filed and the matter is committed to the Sessions Court. It is therefore, directed that pending his trial the applicant may be released on bail in the sum of Rs.20,000/- with one or two sureties in the like amount from Greater Bombay subject to the condition that he should report to Station House Officer, Cuffe Parade Police Station once in a month of every first Monday till the disposal of the trial.

4. Application is disposed of.

(R. S. MOHITE, J.)